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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

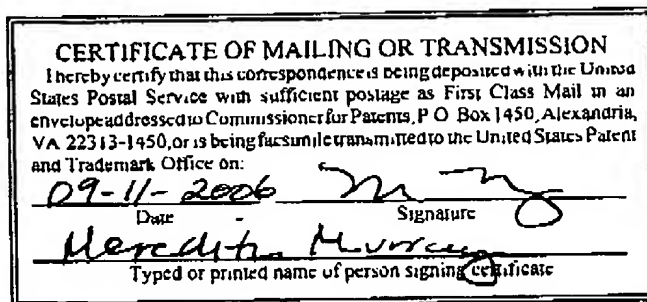
Applicants: John G. Aceti, Marvin A. Leedom, Frederick Fritz,
Derek D. Mahoney, John M. Margicin, Walter P. Sjursen,
Michael H. Tardugno and David A. Preves

Application No.: 09/524,666 Group: 2646

Filed: March 13, 2000 Examiner: Dabney, P. L.

Confirmation No.: 6745

For: DISPOSABLE MODULAR HEARING AID



Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Reply to Restriction for filing in the above-identified application.

- [] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.
- [] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

09/12/2006 CCHAU1 00000094 080380 09524666

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The claims fee has been calculated as shown below:

					SMALL ENTITY		OTHER THAN SMALL ENTITY		
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	OR	RATE	ADDIT. FEE
TOTAL	51	MINUS	* 57	0	X \$25	\$		X \$50	\$
INDEP	17	MINUS	** 19	0	X \$100	\$		X \$200	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$180	\$		+ \$360	\$
					TOTAL= \$ 0			TOTAL= \$ 0	

* not fewer than 20
** not fewer than 3

The Application Size Fee has been calculated as shown below:
(Effective for cases filed on or after December 8, 2004)

Actual Sheets (Including current amendment)	Highest No of Sheets Paid For (At least 100)	No of Additional Units Required (Increments of 50 sheets)	SMALL ENTITY		OTHER THAN SMALL ENTITY		Payment Sufficient for up to [] Sheets
			Rate	Total Amount Owed	Rate	Total Amount Owed	
			X \$125	\$[]	X \$250	\$[]	

Petition for Extension of Time

- [X] Applicants hereby petition to extend the time to respond to the Restriction Requirement dated March 9, 2006 for five months from April 9, 2006 to September 9, 2006. The appropriate fee is set forth below.
- [] [For action-specific language in an extension of time, go to insert, file, public folders, firm templates, and select the appropriate paragraph.]

09/524,666

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Please charge Deposit Account No. 08-0380 for the following fees:

<input checked="" type="checkbox"/>	Petition for five month Extension of Time	\$	2160
<input type="checkbox"/>	Claims Fee	\$	
<input type="checkbox"/>	Application Size Fee	\$	
<input type="checkbox"/>	Other Fees:	\$	
		\$	
		\$	
TOTAL:		\$	2160

A check is enclosed in payment of the following fees:

<input type="checkbox"/>	Petition for [] month Extension of Time	\$	
<input type="checkbox"/>	Claims Fee	\$	
<input type="checkbox"/>	Application Size Fee	\$	
<input type="checkbox"/>	Other Fees:	\$	
		\$	
		\$	
TOTAL:		\$	0

☒ Please charge any deficiency or credit any overpayment in the fees that may be due in this manner to Deposit Account No. 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Kevin T. Shaughnessy
 Kevin T. Shaughnessy
 Registration No.: 51,014
 Telephone (978) 341-0036
 Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Dated: 9/11/06

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 Virginia Road, P.O. Box 9133
Concord, MA 01742-9133

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FACSIMILE COVER SHEET

Examiner: Dabney, P.L. **Group:** 2646

Date: September 11, 2006

Client Code: 2506

Facsimile No.: 571-273-8300

From: Kevin T. Shaughnessy, Esq.

Subject: **Paper:** Reply to Restriction with Extension of Time

Docket No.: 2506.1009-001

Applicants: John G. Aceti, *et al.*

Serial No.: 09/524,666

Filing Date: March 13, 2000

Number of pages including this cover sheet: 6

Please confirm receipt of facsimile: Yes XXX No

Comments:

@PFDsktupl ODMA/MHODMA/HBSR05.iManage.049133.1

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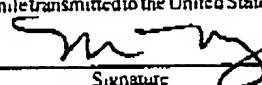
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Applicants: John G. Aceti, Marvin A. Leedom, Frederick Fritz, Derek D. Mahoney,
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Application No.: 09/524,666 Group: 2646
Filed: March 13, 2000 Examiner: Dabney, P. L.
Confirmation No.: 6745
For: DISPOSABLE MODULAR HEARING AID

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
09-11-2006	
Date	Signature
Meredith Murray	
Typed or printed name of person signing certificate	

REPLY TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Restriction Requirement dated March 9, 2006, Species I (Figures 1-8), drawn to an embodiment of a modular hearing aid having a replaceable earmold, is elected for prosecution. Applicants reserve the right to file a continuing application or take such other appropriate action as deemed necessary to protect the non-elected inventions. Applicants do not hereby abandon or waive any rights in the non-elected inventions.

Responsive to the requirement for an election of a subspecies, Applicants hereby elect Subspecies C (Figure 6), drawn to the hearing aid having a receiver incorporated with an earmold tip. Claims readable on the elected species are 1, 4-8 and 21-22.

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An extension of time to respond to the Restriction Requirement is respectfully requested.
A Petition for an Extension of Time and the appropriate fee are being filed concurrently.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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Dated: 9/11/06